

DRAFT
MINUTES OF THE CITY COUNCIL
OF THE
CITY OF GREENSBORO, N.C.

REGULAR MEETING:

15 NOVEMBER 2005

The City Council of the City of Greensboro met in regular session at 5:30 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor Keith A. Holliday, presiding; Councilmembers T. Dianne Bellamy-Small, Sandra G. Carmany, Florence F. Gatten, Yvonne J. Johnson, Robert V. Perkins, Thomas M. Phillips and Donald R. Vaughan. Absent: None. Also present were Mitchell Johnson, City Manager; Linda Miles, City Attorney; and Susan E. Crotts, Deputy City Clerk.

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The meeting was opened with a moment of silence and the Pledge of Allegiance to the Flag.

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The Manager recognized Tonya Williams, employee with the Transportation Department, who served as courier for the meeting.

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Mayor Holliday outlined the procedure for conduct of the meeting.

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Councilmember Johnson recognized members of Boy Scout Troup 427 who were in attendance at the meeting.

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Mayor Holliday invited speakers from the floor to address Council.

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John Kim, residing at 4209 Bramblety Drive, spoke to the size, location, and availability of international goods and services that would be offered at the FantaCity International Mall; noted the financial significance of this project in terms revenue and jobs that would be created; and invited members of Council to attend the upcoming groundbreaking ceremony for the mall.

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Jutta Salmon, residing at 720 Cannon Road, discussed the lack of sidewalks in her neighborhood and associated pedestrian hazards. She requested Council to consider approval of sidewalk construction in the right of way between Muirs Chapel Road and Westland Drive. Jim Westmoreland, Transportation Department Director, stated staff would review the request and report on options for implementation and prioritization.

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Laura Jackson, residing at 2615 West Court Street, and Deborah Haro, residing at 2618 West Court Street, expressed concerns and recommended solutions to problems in their neighborhood associated with Coliseum events attended by large crowds and club like activities at a restaurant establishment in the area. The City Attorney spoke to ongoing efforts of various agencies to monitor the restaurant for code violations. Assistant City Manager Ben

Brown stated that a report on staff's progress in addressing previously expressed concerns about civil disturbances associated with large scale Coliseum events would be provided to Council.

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Mayor Holliday stated the second class of the City Academy had completed their training which would enable them to serve as citizen advocates and ambassadors for the City on operations and policies.

City Manager Johnson spoke to the diverse and extensive aspects of Greensboro's government and the ten-week effort required to learn about the City's numerous functions. He stated the program had received national recognition and was serving as a model program for other municipalities. The Manager thanked Brian Cockman, Communications Specialist in the Organizational Development and Communications (ODC) Department, who directed the City Academy Program, for his enthusiasm and leadership in the project. A video of 2005 class members was shown.

Mr. Cockman introduced members of the 2005 Academy who were present in the Chamber and presented them with certificates. He recognized recipients of the class's awards for Instructor of the Year, Wesley Reid, Guilford Metro 911 Director, and Fire Chief Johnny Teeters, for Department for Department of the Year; and thanked ODC staff members for their support.

On behalf of Council and the citizens of Greensboro, the Mayor expressed appreciation and congratulations to graduating academy members for their accomplishments.

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The Mayor introduced a resolution naming the Hendrix Street Bridge in tribute to J. Maxton "Max" Thompson. After he stated this request had been received from members of the Aycock Neighborhood Association, Councilmember Burroughs-White read the resolution into the record.

Councilmember Johnson moved adoption of the resolution. The motion was seconded by Councilmember Bellamy-Small; the resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

246-05 RESOLUTION NAMING THE HENDRIX STREET BRIDGE IN TRIBUTE TO J. MAXTON "MAX" THOMPSON

WHEREAS, the Charles B. Aycock Neighborhood, downtown preservation, and the City of Greensboro lost a great friend on August 30, 2005, with the passing of J. Maxton "Max" Thompson;

WHEREAS, a native of Guilford County, Max graduated from the University of North Carolina at Greensboro with a degree in Political Science and was the owner and operator of Millpoint Nursery;

WHEREAS, during his tenure as a resident of the Aycock Neighborhood, Max helped to save trees, single family houses, and most notably the Hendrix Street Bridge;

WHEREAS, he almost single handedly preserved the existence of the bridge on Hendrix Street persevering even when other forces mustered to overpower his attempt at the preservation and, although the existing bridge could not be restored, a new quaint footbridge has been constructed between the Fisher Park and Aycock Neighborhoods;

WHEREAS, Max was an avid fisherman, loved baseball and was a member of the local Barber Shop Quartet chapter, served as past president of the Aycock Neighborhood Association and was past chairman of the Zoning Commission;

WHEREAS, it is both deserving and appropriate that the Hendrix Street Bridge be named in tribute to J. Maxton "Max" Thompson.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That for the many years of devoted service rendered to the City of Greensboro and its citizens by J. Maxton “Max” Thompson and as a deserving tribute, the City Council does hereby direct that the Hendrix Street Bridge shall be named the “J. MAXTON ‘MAX’ THOMPSON BRIDGE” in tribute to this dedicated citizen.

(Signed) Yvonne Johnson

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The Mayor stated this was the time and place set for a public hearing to consider an ordinance amending Chapter 30, Zoning Planning and Development, of the Greensboro Code of Ordinances, Section 30-1-10, Relation to the Comprehensive Plan, to consider an amendment to the *Connections 2025 Comprehensive Plan* Generalized Future Land Use Map (Figure 4-2) from the Moderate Residential to the High Residential land use classification for a portion of the property located on the south side of Hilltop Road between Shimer Drive and Adams Farm Parkway, and so that these matters could be discussed together, an ordinance annexing territory to the corporate limits—located south of Hilltop Road and east of Shimer Drive—34.614 acres and an ordinance establishing original zoning from County Zoning Agricultural and RS-40 Residential Single Family to City Zoning Conditional District-RM-18 Residential Multifamily for property located on the south side of Hilltop Road between Shimer Drive and Adams Farm Parkway.

Richard “Dick” Hails, Planning Department Director, presented a map and photos to describe the subject property and surrounding area and read into the record conditions attached to the zoning request. Mr. Hails stated that at the joint September 21 meeting of the Planning Board and Zoning Commission the Zoning Commission voted 6-1 with 1 recusal to recommend approval and the Planning Board voted 2-2 on the Comprehensive Plan amendment associated with the rezoning request.

Mayor Holliday asked if anyone present wished to speak to these matters. The following speakers spoke in favor of the proposed ordinances:

Henry Isaacson, attorney with offices located at 101 West Friendly Avenue, stated he represented the developer, the Blue Ridge Company. He presented and reviewed in detail extensive information regarding the zoning request. Mr. Isaacson stated that, in his opinion, the rezoning would not materially endanger public health or safety, would not substantially injure the value of adjacent or abutting property, and the location and character of the development was in harmony with the area and in general conformity with the City’s plan of development. He requested Council to approve the request.

Jim Davenport, traffic engineer for the developer, explained traffic study information presented by Mr. Isaacson with regard to calculation of projections for traffic in peak hours in the year 2010. Mr. Davenport explained the methodology by which the data was generated and noted that the anticipated increase in overall traffic volume was less than 5%.

The following speakers spoke in opposition to the request:

Kathleen Sullivan, residing at 5302 Lane Trail, cited her professional experience in real estate as the basis for her opinion that the rezoning would lower property values in the surrounding area. She spoke to her perception of the negative impact of the flexible nature of the *Connections 2025 Comprehensive Plan*; expressed disappointment that the Plan was not available to citizens on the web in an updated format; and stated she hoped the current Plan would be available via web access in the future. Ms. Sullivan spoke to her experiences of meeting with the developer and presented and reviewed detailed information supporting her opposition to the proposal. She expressed concerns with respect to present and potential future transportation safety issues, requested Council to deny the request, and recommended developing this fringe area with an alternative plan following the pending Land Development Ordinance (LDO) rewrite.

Troyce Hood, residing at 5307 Highstream Court, provided comments and information to Council with respect to land use planning, her meetings with the developer, and stated that in her opinion, the proposed zoning was not a good development plan due to its density level.

Donna Guinnard, residing at 1602 Pepper Hill Road, stated she represented the Southwest Neighborhood Association, spoke to the value of citizen input in local government, and shared personal opinions with respect to the degree to which the Comprehensive Plan should be followed and the intent for the Generalized Future Land Use Map. She requested Council to deny the rezoning request.

Day Atkins, residing at 2515 Lakeshore Drive, stated he was president of the homeowners association and cited previous zoning cases to illustrate that the neighborhood was not anti-development. He presented to Council information and a statement expressing his concerns with regard to meetings with the developer and density related issues including local school capacities and traffic congestion. After Mr. Atkins requested those present in the Chamber to stand to show their opposition, the majority of citizens in the Chamber stood. Mr. Atkins noted that a large number of additional citizens were also gathered outside the Chamber.

The following speakers spoke in rebuttal in favor of the rezoning and Comprehensive Plan amendment:

Mr. Issacson explained that the effect of the proposed zoning would be the equivalent of 15.9 units per acre, which would fall under the category of RM 18 with limiting conditions. During review of the information he had provided to Council, the City Attorney advised that the site plans were for illustrative purposes only. Mr. Isaacson stated that the conditions reflected the intent of the project; emphasized that the unified development aspect of the plan and his representation of it to neighborhood citizens; and spoke to information he had obtained from Guilford County School officials with respect to enrollment levels at schools in the area.

The following speakers spoke in opposition to the proposed rezoning:

Pam Alexander, residing at 4 Mill Creek Court, stated she was president of the Adams Farm Community Association; requested Council to deny the request to maintain what characteristics of the originally suburban community remained in the presence of strip malls, big box retail, a high density of apartments; and expressed opinions with respect to existing overcrowding of schools and roads in the area.

Councilmember Vaughan moved that the public hearing be closed. The motion was seconded by Councilmember Bellamy-Small and unanimously adopted by voice vote of Council.

Mr. Hails clarified that only the conditions attached to the request were binding for the rezoning proposal. He spoke to details of transition to mixed development uses and roadway infrastructure development in the area; the need for change to the Generalized Future Land Use Map in terms blending low and high density housing; and stated that the conditions attached to the zoning request facilitated good design and land use by increasing extra plantings and controlling lighting. Mr. Hails stated staff recommended approval of the Connections 2025 Comprehensive Plan Amendment and the zoning request.

Councilmember Phillips spoke to the types of changes being made to the Comprehensive Plan through the course of its implementation and noted that characteristics of the plan facilitated a broad range of individual interpretation. He stated that because the Comprehensive Plan Monitoring Committee supported this proposed amendment and future roadway improvements planned for the area, he believed the amendment to the Plan would not negatively impact traffic patterns or damage the community.

Councilmember Perkins stated the proposed Comprehensive Plan amendment created an opportunity to stage density well with planned roadway improvements. He shared his observations of development in other large metropolitan areas and offered his personal opinion, that high density quality development would benefit the area.

Councilmember Carmany stated change to the Comprehensive Plan were considered on a case by case basis, which she did not believe was justified in this instance. She shared her opinion, that the density should be decreased instead of increased in the area to create optimum land use transition.

Councilmember Gatten spoke to her perception of the negative impact the volume of proposed additional residential units would have on the area proportionally. She stated that, in her opinion, the proposal violated inherent characteristics of the Comprehensive Plan.

Mayor Holliday spoke to the long history of opposition to development in the Adams Farm area and the way in which its development had created infill opportunities. He stated the Comprehensive Plan was expected to change over time according to transportation related developments and advised that he supported the amendment based on his opinion that the number planned units for development and the impact generated on traffics and schools would be reasonable.

Councilmember Burroughs-White stated she concurred with the Mayor's statements and offered her opinion, that the impact of the proposed development on the surrounding area would be minimal.

Councilmember Gatten moved to DENY the ordinance amending Chapter 30, Zoning Planning and Development, of the Greensboro Code of Ordinances, Section 30-1-10, Relation to the Comprehensive Plan, to consider an amendment to the Connections 2025 Comprehensive Plan Generalized Future Land Use Map ((Figure 4-2) form the Moderate Residential to the High Residential land use classification for a portion of the property located on the south side of Hilltop Road between Shimer Drive and Adams Farm Parkway. The motion was seconded by Councilmember Carmany.

The motion to DENY the ordinance failed on the following Vote: Ayes: Carmany, Gatten. Noes: Bellamy-Small, Burroughs-White, Holliday, Johnson, Perkins, Phillips and Vaughan.

Councilmember Phillips thereupon moved adoption of the ordinance. The motion was seconded by Councilmember Vaughan; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs, White, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: Carmany and Gatten.

05-225 AMENDING THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN

AN ORDINANCE AMENDING THE GENERALIZED FUTURE LAND USE MAP OF THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN, INCORPORATED BY REFERENCE IN THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT CHAPTER 30, SECTION 30-1-10

WHEREAS, the City Council adopted the *Greensboro Connections 2025 Comprehensive Plan* on May 6, 2003 which contains a Generalized Future Land Use Map, and is labeled Figure 4-2; and

WHEREAS, an amendment to that as shown on the attached map to change the land use classification from Moderate Residential to high Residential for a portion of the property located on the south side of Hilltop Road between Shimer Drive and Adams Farm Parkway; and

WHEREAS, this amendment was considered at the September 21, 2005 joint Planning Board and Zoning Commission meeting and, after a public hearing the Planning Board voted 2 to 2 and is therefore unable to forward a recommendation.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO, NORTH CAROLINA, that the Generalized Future Land Use Map Figure 4-2 is amended as follows:

Section 1. The Generalized Future Land Use Map Figure 4-2 is hereby amended as shown on the attached map.

Section 2. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Section 3. This ordinance shall become effective on November 15, 2005.

(Signed) Thomas M. Phillips

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Councilmember Phillips moved adoption of the ordinance annexing territory to the corporate limits—located south of Hilltop Road and east of Shimer Drive—34.614 acres. The motion was seconded by Councilmember Burroughs-White. After the vote did not display in the Chamber, the Mayor instructed the Clerk to clear the voting board. The ordinance was thereupon adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: Carmany and Gatten.

05-226 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED SOUTH OF HILLTOP ROAD AND EAST OF SHIMER DRIVE—34.614 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at an existing iron pin in the southern right-of-way line of Hilltop Road (30' from centerline), at the northwest corner of the Mary J. Owens property, as described at Deed Book 6066, Page 1490 in the Office of the Register of Deeds of Guilford County; thence S 04° 22' 36" W 215.26 feet to the southwest corner of Owens, a point in the existing city limits (as of September 30, 2005) of the City of Greensboro; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS with the west line of UDRT of North Carolina, LLC, as shown at Plat Book 94, Page 126 in the Office of the Register of Deeds, S 04° 23' 10" W 988.04 feet to the northeast corner of property now or formerly of Gerald C. Pegram, as recorded at Deed Book 2578, Page 404 in the Office of the Register of Deeds, said point being N 04° 23' 10" E 12.16 feet from an existing iron pin in the west line of UDRT; THENCE DEPARTING FROM THE EXISTING CITY LIMITS with Pegram's north line N 73° 48' 34" W 1,153.67 feet to an existing iron pin; thence N 07° 09' 34" W 26.32 feet to an existing axle at the southeast corner of Lot 51 of Hilltop Acres, as recorded at Plat Book 25, Page 6 in the Office of the Register of Deeds; thence with the south line of Lot 51 N 75° 59' 49" W 414.60 feet to the southwest corner of Lot 51; thence with the east right-of-way line of Shimer Drive N 04° 17' 13" W 356.45 feet to the southwest corner of Lot 65 of Hilltop Acres; thence with said right-of-way line N 04° 28' 47" W 201.47 feet to the southwest corner of Lot 2 of the Daniel W. Vaden subdivision, , as recorded at Plat Book 72, Page 57 in the Office of the Register of Deeds; thence with said right-of-way line N 04° 18' 11" W 101.92 feet to the southwest corner of Lot 1 of said subdivision; thence with said right-of-way line N 04° 34' 14" W 180.80 feet to a new iron pin on the new south right-of-way line of Hilltop Road; thence with said right-of-way line S 84° 15' 42" E 198.54 feet to a new iron pin in the west line of said Lot 2; thence with said west line N 00° 16' 36" E 24.89 feet to a new iron pin at the northwest corner of said Lot 2; thence with the south right-of-way line of Hilltop Road S 85° 24' 33" E 175.53 feet to the northeast corner of Lot 2; thence S 84° 17' 36" E 198.75 feet to a new iron pin at the northwest corner of the Roy L. Rierson property, as recorded at Deed Book 1594, Page 221 in the Office of the Register of Deeds; thence with Rierson's west line S 00° 11' 30" W 246.17 feet to the northwest corner of Tract 75, Block "B" of Hilltop Acres; thence S 00° 11' 30" W 193.68 feet to the southeast corner of said tract; thence with the north line of the Twin Oaks Enterprises, Inc. property, as recorded at Deed Book 3280, Page 617 in the Office of the Register of Deeds, N 85° 01' 22" E 372.95 feet to the southwest corner of the Raoul M. Turcot property, as recorded at Deed Book 5068, Page 1601 in the Office of the Register of Deeds; thence with Turcot's west line N 01° 32' 08" E 424.42 feet to a new iron pin in the new south right-of-way line of Hilltop Road; thence with said right-of-way line with a curve to the right with a radius of 1,105 feet, an arc length of 49.58 feet, and a chord bearing and distance of N 86° 20' 29" E 49.57 feet to a point in the west line of Turcot's Tract 2; thence with said right-of-way line with a curve to the right with a radius of 1,105 feet, an arc length of 151.52 feet, and a chord bearing and distance of S 88° 26' 42" E 151.40 feet to a point in the west line of Twin Oaks Enterprises, LLC; thence N 14° 43' 14" E 23.64 feet to an existing iron pin at the northwest corner of Twin Oaks in the south right-of-way line of Hilltop Road; thence with said right-of-way line S 77° 55' 22" E 213.64 feet to a point; thence with said right-of-

way line S 73° 25' 41" E 211.55 feet to the point and place of BEGINNING, and containing approximately 34.614 acres.

Section 2. The owners agree to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owners shall be fully responsible for extending water and sewer service to the property at said owners' expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after January 31, 2006, the liability for municipal taxes for the 2005-2006 fiscal year shall be prorated on the basis of 5/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2006. Municipal ad valorem taxes for the 2006-2007 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after January 31, 2006.

(Signed) Thomas M. Phillips

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Councilmember Burroughs-White moved adoption of the ordinance establishing original zoning from County Zoning Agricultural and RS-40 Residential Single Family to City Zoning Conditional District-RM-18 Residential Multifamily for property located on the south side of Hilltop Road between Shimer Drive and Adams Farm Parkway. The motion was seconded by Councilmember Phillips; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: Carmany and Gatten.

05-227 AMENDING OFFICIAL ZONING MAP

SOUTH SIDE OF HILLTOP ROAD BETWEEN SHIMER DRIVE AND ADAMS FARM PARKWAY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by establishing original zoning from County Zoning Agricultural and RS-40 Residential Single Family to City Zoning Conditional District – RM-18 Residential Multifamily (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING at an existing iron pin in the southern right-of-way line of Hilltop Road (30' from centerline), at the northwest corner of the Mary J. Owens property, as described at Deed Book 6066, Page 1490 in the Office of the Register of Deeds of Guilford County; thence S 04° 22' 36" W 215.26 feet to the southwest corner of Owens, a point in the existing city limits (as of September 30, 2005) of the City of Greensboro; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS with the west line of UDRT of North Carolina, LLC, as shown at Plat Book 94, Page 126 in the Office of the Register of Deeds, S 04° 23' 10" W 988.04 feet to the northeast corner of property now or formerly of Gerald C. Pegram, as recorded at Deed Book 2578, Page 404 in the Office of the Register of Deeds, said point being N 04° 23' 10" E 12.16 feet from an existing iron pin in the west line of UDRT; THENCE DEPARTING FROM THE EXISTING

CITY LIMITS with Pegram's north line N 73° 48' 34" W 1,153.67 feet to an existing iron pin; thence N 07° 09' 34" W 26.32 feet to an existing axle at the southeast corner of Lot 51 of Hilltop Acres, as recorded at Plat Book 25, Page 6 in the Office of the Register of Deeds; thence with the south line of Lot 51 N 75° 59' 49" W 414.60 feet to the southwest corner of Lot 51; thence with the east right-of-way line of Shimer Drive N 04° 17' 13" W 356.45 feet to the southwest corner of Lot 65 of Hilltop Acres; thence with said right-of-way line N 04° 28' 47" W 201.47 feet to the southwest corner of Lot 2 of the Daniel W. Vaden subdivision, as recorded at Plat Book 72, Page 57 in the Office of the Register of Deeds; thence with said right-of-way line N 04° 18' 11" W 101.92 feet to the southwest corner of Lot 1 of said subdivision; thence with said right-of-way line N 04° 34' 14" W 180.80 feet to a new iron pin on the new south right-of-way line of Hilltop Road; thence with said right-of-way line S 84° 15' 42" E 198.54 feet to a new iron pin in the west line of said Lot 2; thence with said west line N 00° 16' 36" E 24.89 feet to a new iron pin at the northwest corner of said Lot 2; thence with the south right-of-way line of Hilltop Road S 85° 24' 33" E 175.53 feet to the northeast corner of Lot 2; thence S 84° 17' 36" E 198.75 feet to a new iron pin at the northwest corner of the Roy L. Rierson property, as recorded at Deed Book 1594, Page 221 in the Office of the Register of Deeds; thence with Rierson's west line S 00° 11' 30" W 246.17 feet to the northwest corner of Tract 75, Block "B" of Hilltop Acres; thence S 00° 11' 30" W 193.68 feet to the southeast corner of said tract; thence with the north line of the Twin Oaks Enterprises, Inc. property, as recorded at Deed Book 3280, Page 617 in the Office of the Register of Deeds, N 85° 01' 22" E 372.95 feet to the southwest corner of the Raoul M. Turcot property, as recorded at Deed Book 5068, Page 1601 in the Office of the Register of Deeds; thence with Turcot's west line N 01° 32' 08" E 424.42 feet to a new iron pin in the new south right-of-way line of Hilltop Road; thence with said right-of-way line with a curve to the right with a radius of 1,105 feet, an arc length of 49.58 feet, and a chord bearing and distance of N 86° 20' 29" E 49.57 feet to a point in the west line of Turcot's Tract 2; thence with said right-of-way line with a curve to the right with a radius of 1,105 feet, an arc length of 151.52 feet, and a chord bearing and distance of S 88° 26' 42" E 151.40 feet to a point in the west line of Twin Oaks Enterprises, LLC; thence N 14° 43' 14" E 23.64 feet to an existing iron pin at the northwest corner of Twin Oaks in the south right-of-way line of Hilltop Road; thence with said right-of-way line S 77° 55' 22" E 213.64 feet to a point; thence with said right-of-way line S 73° 25' 41" E 211.55 feet to the point and place of BEGINNING, and containing approximately 34.614 acres.

Section 2. That the original zoning to Conditional District – RM-18 Residential Multifamily is hereby authorized subject to the following use limitations and conditions:

- 1) Uses: All residential and recreational uses in the RM-18 zoning district plus child care centers (16 or more).
- 2) There shall be a maximum of 553 dwelling units on the subject property, consisting of (a) a maximum of 360 apartments (maximum of three stories), (b) a maximum of 132 condominiums for sale; and (c) a maximum of 61 townhomes for sale.
- 3) All dwelling units shall be constructed of brick, stone or Hardyboard with wood or vinyl accents.
- 4) The street planting yard along Hilltop Road shall contain double the required rate of plantings.
- 5) For every tree that is 18" in diameter or larger that is removed, 1½ trees with at least 2" caliper in size will be replanted.
- 6) Developer shall construct walking trails connecting each of the dwelling villages (apartments, condominiums and townhomes) to the proposed recreational park which is to be developed by the City of Greensboro.
- 7) All exterior lighting shall be directed toward the interior of the property.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5. This ordinance shall be effective on the date of annexation.

(Signed) Claudette Burroughs-White

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Councilmember Johnson recognized members of a Boy Scout Troop based at Our Lady of Grace Church, who were in attendance at the meeting.

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Mayor Holliday declared a recess at 7:47 p.m.

The meeting reconvened at 8:05 p.m. with all members of Council present.

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The Mayor stated that this was the time and place set for a public hearing to consider an ordinance rezoning from RS-12 Residential Single Family to Conditional District RS-7 Residential Single Family for property located at the southeast quadrant of Lees Chapel Road and Glenside Drive. He stated this matter is being heard on appeal filed by John Marks after receiving a 2 to 6 vote at Zoning Commission meeting to recommend denial of the rezoning.

Mr. Hails presented a map and photos to describe the subject property and surrounding area, summarized the request, stated the Zoning Commission had voted to recommend denial of the proposed rezoning, and read the conditions attached to the proposed ordinance into the record.

Mayor Holliday asked if anyone present wished to speak in favor of this matter. The following speakers spoke in favor of the rezoning:

John Marks, residing at 1415 Winchelsea Road, distributed detailed information to Council, which he summarized. He requested Council to add the following conditions to the proposed ordinance:

- 1) Amend Condition #2 to "A maximum of eight (8) lots with 4 having frontage on Lees Chapel Road and four (4) having frontage on Glenside Drive."
- 2) The 8 lots will have a minimum of 9000 square feet.
- 3) Flag lots will not be permitted.

Councilmember Gatten moved that these conditions be added to the proposed zoning ordinance. The motion was seconded by Councilmember Burroughs-White and unanimously adopted by voice vote of Council.

Mr. Marks noted that seven houses could be built under the existing zoning of RS-12 and explained that the rezoning request served to eliminate flag lots in the development. He stated the proposal was compatible with the Connections 2025 Comprehensive Plan's promotion of compact urban development, affordable housing, and mixed income neighborhoods. He spoke to various meetings he had with Transportation and Planning Department staff, Zoning Commission Members, and neighbors, and advised that in response to concerns expressed by area residents the added conditions reduced the number of homes planned to eight, facing the street. Mr. Marks cited additional information and reasons he believed the development would be an asset in the neighborhood, and for illustrative purposes, presented illustrations of the proposed development. After Mr. Marks presented signatures of neighborhood residents in favor of the proposal, he confirmed that he had collected the signatures himself.

Evelyn Washington, residing at 2105 Glenside Drive, spoke to her positive experiences as a resident in the neighborhood in a home built by Mr. Marks.

The following speakers spoke in opposition to the request:

David Cooke residing at 2219 Glenside Drive, spoke to his meeting experiences with Mr. Marks, expressed concerns about the drainage plans for the site and shared numerous personal opinions related to various activities he

believed pertained to the neighborhood.

The City Attorney advised that value could not be given to here-say in the Council's determination of this case. She advised that Council could only consider zoning criteria as the basis for their judgment.

Mr. Cooke presented signatures, which he confirmed he had witnessed, from people who opposed the rezoning. Council briefly questioned Mr. Cooke about the intent of neighbor's activities he had described with regard to their response to residences built by Mr. Marks.

The following speakers spoke in rebuttal in favor of the proposed zoning:

Mr. Marks presented a sworn affidavit and requested it be returned to him after Council's review. After Mr. Marks disputed opinions presented by Mr. Cooke, the City Attorney advised Mr. Marks to focus on discussing the criteria for the zoning case. Mr. Marks stated the proposed development would meet building codes and in his opinion, serve as an asset for Greensboro.

An unidentified citizen, residing at 1808 Lees Chapel Road, shared her opinions with respect to traffic issues in the neighborhood that could negatively impact the safety of children and elderly or disabled citizens.

Councilmember Carmany moved that the public hearing be closed. The motion was seconded by Councilmember Gatten and unanimously adopted by voice vote of Council.

Mr. Hails spoke to similar rezoning cases in this area over recent years, stated that transition and compatibility were the main factors for consideration in the proposed zoning, and noted the Comprehensive Plan Generalized Future Land Use Map was not an issue in this instance.

During discussion about the curved design of Lees Chapel Road, Mr. Westmoreland stated this road was maintained by the State Department of Transportation; he offered to check to see if any plans for improvements existed.

Several members of Council stated they would support the request because, in their opinion, the proposed rezoning would fit in with the surrounding area.

Councilmember Perkins moved adoption of the ordinance. The motion was seconded by Councilmember Phillips; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

AMENDING OFFICIAL ZONING MAP

SOUTHEAST QUADRANT OF LEES CHAPEL ROAD AND GLENSIDE DRIVE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by rezoning from RS-12 Residential Single Family to Conditional District – RS-7 Residential Single Family (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING at a point in the intersection of the southern right-of-way line of Lees Chapel Road and the eastern right-of-way line of Glenside Drive; thence along said southern right-of-way line N70°21'21"E 340.60 feet to a point, said point being the northwest corner of Robert W. and Delores Coltrane; thence along the western line of Coltrane S05°00'00"W 478.73 feet to a point in the line of Oddis and Phyllis Pressnell as recorded in Deed Book 2993, Page 252 in the Office of the Guilford County Register of Deeds; thence along the line of Pressnell N82°57'20"W 140.70 feet to a point in the eastern right-of-way line of Glenside Drive; thence along said eastern right-of-way line N21°59'38"W 372.24 feet to the point and place of BEGINNING, as shown on "Rezoning Exhibit for John Marks" prepared by Associated Surveying & Engineering, P.C. and dated August 25, 2005.

Section 2. That the rezoning of RS-12 Residential Single Family to Conditional District – RS-7 Residential Single Family is hereby authorized subject to the following use limitations and conditions:

- 1) Uses: All uses allowed under the RS-7 district.
- 2) A maximum of eight (8) lots with 4 having frontage on Lees Chapel Road and four (4) having frontage on Glenside Drive.
- 3) The lot at the southeast intersection of Lees Chapel Road and Glenside Drive shall have access only from Glenside Drive.
- 4) The 8 lots will have a minimum of 9000 square feet.
- 5) Flag lots will not be permitted.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5. This ordinance shall be effective on the date of adoption.

(Signed) Robert V. Perkins

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance rezoning from Conditional District-General Office Moderate Intensity, Conditional District – General Office Moderate Intensity, and RS-12 Residential Single Family to Conditional District- Planned Unit Development for property located on the southeast side of New Garden Road between Brassfield Road and Medhurst Drive. He stated this matter was being heard on appeal filed by Andrew M. Richelson after receiving a 7 to 1 vote at the Zoning Commission meeting to recommend approval of the rezoning.

Mr. Hails presented a map and slides to describe the subject property and surrounding area and advised that Selkirk Road was the subject of much discussion on this case. He stated the Zoning Commission had voted to recommend approval of the proposed rezoning and clarified in their vote they were not making a decision on the connection to adjoin properties.

Mr. Hails noted that there were a large number of conditions attached to the rezoning request, stated there were three sections of the rezoning for single family, multi family, and commercial general business, and reviewed some of the conditions pertaining to these designations and to stub street connectivity.

The City Attorney explained the Council's responsibility in terms of the relationship between the Street Connectivity Policy and zoning requirements in this case. She noted that Council had the authority to change the Street Connectivity Policy; stated the Policy should be followed to ensure equal treatment of citizens of equal categories so as not to have an equal protection claim; advised Council that it was in their best interest to mainly consider the zoning issues; explained that because congestion and traffic was a part of the zoning issue, connectivity would be a part of it, but not the major part; cited several examples of purposes for evaluating zoning such as area population, environmental concerns for air pollution of that, etc. The City Attorney advised Council to look at all of the zoning issues; spoke to the piece of the zoning that involved the Connectivity Policy, and emphasized that if this case met the Policy, it should be followed unless Council was willing to change the Policy for everyone.

Councilmember Phillips asked if procedures existed by which the zoning request could be approved and the street connection denied if this was the will of Council.

The City Attorney stated the rezoning, not the Connectivity Policy, was before Council; connectivity could be a part of that as it was relevant to traffic congestion; this was a conditional use case in which the applicant was

responsible for setting conditions, Council could not request and approve a change in the connectivity condition because it would conflict with their Connectivity Policy and constitute contract zoning; and that for connectivity Council could consider the zoning separately. She advised that Council could consider revising the Connectivity Policy or the plat could be reviewed then submitted to the Planning Board if to see if equal or better performance could be met.

Councilmember Gatten expressed her opinion that, as a condition of the proposal offered by the developer, the street connectivity condition was material to the discussion of the zoning. She stated that if Council did not believe the connectivity condition was in the best interest of the existing neighborhood, she believed they should reject the zoning. The City Attorney confirmed that the connectivity was a condition of the zoning that could not be changed by Council and that if Council found this condition unacceptable, that would provide the basis for voting against the zoning.

After Councilmember Perkins questioned whether the elimination of the connectivity condition would be less or more restrictive, he noted the Technical Review Committee and the Transportation Department would determine the connectivity issue based on policy.

The City Attorney advised that a legal problem existed in determining whether the connectivity was more or less restrictive and that if the developer amended the conditions to do away with the connectivity, it would be less restrictive than the City's Policy, but could be argued as more restrictive on the basis of denying access.

In response to questions, the City Attorney explained that in accordance with the factors set out in the Connectivity Policy, the Transportation Department found this situation met the Policy and stated that she did not have knowledge of Transportation staff's communications with the developer.

Councilmember Johnson requested exploration of structuring an alternative rule or policy that could be used in similar future zoning cases. The City Attorney stated that most cities have a strict and clear cut connectivity policy. She offered that staff could review the possibility of adding language to the Policy to develop a middle ground based on rational factors, but emphasized that this would be very difficult to accomplish because of liability issues associated with emergency response and street connectivity. The City Attorney advised Council to follow the Policy to avoid legal conflicts and recommended the Policy be revisited.

Councilmember Perkins spoke to Council's role in the lengthy development process of the Street Connectivity Policy and suggested that any changes to the Policy should be considered by the future Council following upcoming elections.

Mayor Holliday asked if anyone present wished to speak in favor of the zoning.

Randy Dixon, representative of the proponents, with offices located at 1205 West Bessemer Avenue, Suite 218, spoke to his involvement with City staff in terms of the development of the zoning request and provided detailed reasons the proposal would incorporate goals of the Generalized Future Land Use Map for this area while maintaining low density residential classification. He reviewed in detail information he presented to Council that included meetings with neighborhood residents, development requirements, and road systems in the area; shared his opinion that the proposal adhered to the Street Connectivity Policy; and stated that it was his understanding he could not present a land development plan contrary to the Policy.

Jim Westmoreland, Transportation Department Director, confirmed that if the proposed street connection was not made, the plan would violate the Development Ordinance.

The Mayor asked if anyone present wished to speak in opposition to the proposed zoning.

The following speakers spoke in opposition to the proposal:

Andrew Richelson, residing at 1900 Medhurst Drive, stated neighbors opposing the request were present in the Chamber and presented to Council signatures of neighbors opposed to the proposal. He presented a map of the

neighborhood; provided a detailed explanation as to why he believed the proposed street connection would create cut through traffic hazards in the neighborhood; and questioned the need for the street connection to increase emergency response time over streets possessing traffic signal emergency control capabilities. Mr. Richelson spoke to additional details of the Development Ordinance and the Street Connectivity Policy with respect to street lengths, numbers of blocks, numbers of turns, traffic volume, etc.; expressed concern with regard to potential negative impacts from disturbing natural areas and a site with historical artifacts present; and requested Council to vote on the proposed zoning ordinance at this time.

Anne Parlier, residing at 3412 Gloucester Lane, requested preservation of the integrity and safety of the neighborhood. She provided examples of other developments in Greensboro that purportedly were not connected with stub streets; stated she opposed connection between two commercial areas that could allow vehicles to cut through neighborhoods to avoid busy intersections; and spoke to her desire to preserve the character of her 40 year old neighborhood.

Corita Balance, residing at 3801 Derbyshire Drive, expressed concerns with respect to potential negative impact on health resulting from pollution, construction noise and traffic and offered personal opinions with respect to reasons to leave the neighborhood in its current condition as a cul-de-sac community. She requested Council to deny the request based on the street connectivity condition attached to the request.

The following speakers spoke in rebuttal in favor of the proposed zoning:

Mr. Dixon spoke to his impressions of the impact of the plan on the neighborhood in terms of cut through activity and stated he had worked with City staff to develop a good plan that appeared to present negative issues to the neighbors. He stated the proposed extension of the road was to satisfy zoning requirements and was not the developer's goal.

During discussion, Councilmember Perkins expressed his opinion that Council should have the authority to remove the connectivity condition because it was a requirement of the city's ordinance. The City Attorney stated that this would violate the Council's Policy and risk legal problems.

The following speakers spoke in rebuttal in opposition to the proposed zoning:

Scott Leary, residing at 2002 Tennyson Drive, requested Council to leave the neighborhood connectivity as it existed and to deny the request.

Robert Welk, residing at 2023 Meadows Drive, used a map to propose his suggestions for alternative connectivity options in the neighborhood that, in his opinion, would not create a negative impact from cut through vehicle traffic.

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Mayor Holliday declared a recess at 10:04 p.m.

Council reconvened with all members present at 10:24 p.m.

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The City Attorney recommended that Council continue this matter to January of 2006. She stated that she and the Planning Director would look at the Connectivity Policy and revisions to North Carolina state law that were anticipated and could potentially resolve these issues.

Councilmember Gatten moved that this matter be continued to the second meeting in January of 2006. Discussion was held with respect to the impact of delay on the developer. The motion died for lack of a second.

The City Attorney suggested a summary of the public hearing be prepared for review for the continuation, Councilmember Phillips requested that a summary and minutes of this hearing be provided and that new members

of Council view the recorded public hearing.

Councilmember Vaughan moved that the public hearing be continued to January 3, 2006. The motion was seconded by Councilmember Johnson. No action was taken.

Councilmember Gatten noted the meeting schedule for 2006 was not set and made a substitute motion, that the public hearing be continued to the first meeting in January of 2006. The substitute motion was seconded by Councilmember Vaughan and unanimously adopted by voice vote of Council. The zoning request was continued to the first meeting in January 2006 without further advertising.

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Mayor Holiday stated that this was the time and place set for a public hearing to consider a resolution closing Old Battleground Road from 40 feet north of the centerline of Horse Pen Creek Road to 75 feet east of the centerline of Battleground Avenue, a distance of approximately 500 feet.

After Councilmember Perkins stated he had a direct conflict of interest in this matter, Councilmember Gatten moved that Councilmember Perkins be excused from voting. The motion was seconded by Councilmember Bellamy-Small and unanimously adopted by voice vote of Council.

The Mayor asked if anyone present wished to be heard. There being no one present who wished to speak, Councilmember Gatten moved adoption of the resolution. The motion was seconded by Councilmember Phillips; the resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Phillips and Vaughan. Noes: None, with Councilmember Perkins abstaining due to conflict of interest.

247-05 RESOLUTION CLOSING OLD BATTLEGROUND ROAD FROM 40 FEET NORTH OF THE CENTERLINE OF HORSE PEN CREEK ROAD TO 75 FEET EAST OF THE CENTERLINE OF BATTLEGROUND AVENUE, A DISTANCE OF APPROXIMATELY 500 FEET

WHEREAS, the owner of all of the property abutting both sides of Old Battleground Road from 40 feet north of the centerline of Horse Pen Creek Road to 75 feet east of the centerline of Battleground Avenue has requested in writing that said street be closed to the general public and the City's interest therein released;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Tuesday, November 15, 2005 at 5:30 p.m. on the closing of said street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby finds as a fact that the owner of all of the property abutting both sides of the hereinafter mentioned street has requested in writing that said street be closed to the general public and the City's interest therein released.
2. That the City Council hereby finds as a fact that the closing of the street to the general public is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of the reasonable means of ingress or egress to his or its property.
3. That the following street is hereby permanently closed to the general public and the City's interest therein released:

OLD BATTLEGROUND ROAD FROM 40 FEET NORTH OF THE CENTERLINE OF HORSE
PEN CREEK ROAD TO 75 FEET EAST OF THE CENTERLINE OF BATTLEGROUND AVENUE,
A DISTANCE OF APPROXIMATELY 500 FEET

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line located in the above mentioned street until such time as said line is no longer required by the City.

(Signed) Florence Gatten

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The Mayor stated that this was the time and place set for a public hearing to consider a resolution adopting boundaries to be included in the State Development Zone and authorizing the filing of an application with the Department of Commerce.

Mayor Holliday asked if anyone present wished to speak to this matter. There being no one present who wished to be heard, Councilmember Vaughan moved adoption of the resolution. The motion was seconded by Councilmember Bellamy-Small; the resolution was adopted on the following roll call vote. Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Perkins, Phillips and Vaughan. Noes: None.

248-05 RESOLUTION ADOPTING BOUNDARIES TO BE INCLUDED IN THE STATE DEVELOPMENT
ZONE AND AUTHORIZING THE FILING OF AN APPLICATION WITH THE DEPARTMENT OF
COMMERCE

WHEREAS, in an effort to provide incentives for certain industries to locate in North Carolina, the William S. Lee Act was enacted by the North Carolina General Assembly in 1996 and subsequently amended in 1997 and 1998;

WHEREAS, the purpose of the Act is to bring economic development to pockets of poverty in municipalities that have not shared in the economic gains of the State as a whole and by encouraging existing industries to expand and to provide investment and workforce;

WHEREAS, pursuant to guidelines established in the Act, it provides up to 50% credit against corporate income taxes for job creation and capital investment and this includes manufacturing, warehousing, wholesale trade, central administrative offices, data processing and air courier services;

WHEREAS, the Act was amended to authorize State Development Zones which provide economic incentives to stimulate new investment and job creation in economically distressed urban areas and was a part of the 1998 Economic Opportunities Act enacted in 1998 (N.C.G.S. 105-1209.3A);

WHEREAS, the zone must be within a city with a population of more than 5,000 people and more than 20% of the zoned population must be below the poverty level as well as the zone must contain 1,000 persons or more;

WHEREAS, there is an area of 52.82 square miles and a population of 98,614, 19,740 of which is below the poverty level which have been identified as meeting the criteria for an eligible zone designation in the City of Greensboro, as shown on the attached map;

WHEREAS, it is deemed in the best interest of the City to designate these tracts as a Development Zone and to apply to the North Carolina Department of Commerce for a designation thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That following a public hearing and meeting on 15 November 2005 by the City Council, the City Council hereby approves the Development Zone as shown on the attached map and the Mayor and City Clerk are hereby authorized to file an application with the North Carolina Department of Commerce for designation of a North Carolina Development Zone.

(Signed) Donald R. Vaughan

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The Mayor stated that this was the time and place set for a public hearing to consider an ordinance providing for the designation of the A.M. Scales house located at 1207 Lakewood Drive, Greensboro, NC, as a Guilford County Historic Landmark.

Mr. Hails spoke briefly to the proposed amendment to the ordinance.

The Mayor asked if anyone present wished to speak to this matter:

Julie Curry, Guilford County staff member working with the Guilford County Historic Properties Commission, offered to answer questions.

There being no further discussion, Councilmember Carmany moved that the public hearing be closed. The motion was seconded by Councilmember Gatten and unanimously adopted by voice vote of Council.

Councilmember Johnson moved adoption of the ordinance. The motion was seconded by Councilmember Vaughan; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

05-228 ORDINANCE AMENDING AMENDED ORDINANCE PROVIDING FOR THE DESIGNATION OF THE A.M. SCALES HOUSE LOCATED AT 1207 LAKEWOOD DRIVE, GREENSBORO, NC, AS A GUILFORD COUNTY HISTORIC LANDMARK

WHEREAS, all of the prerequisites to the adoption of this ordinance, as prescribed by Chapter 160A, Article 19, Part 3A, of the North Carolina General Statutes, have been met;

WHEREAS, the Guilford County Historic Preservation Commission has submitted a report, which is incorporated herein by reference, and recommended in public hearing that the property described below and designated as a historic property be amended by deleting Lot 4 as shown and recorded in Plat Book 152, Page 86 of the Guilford County Registry, being 43,540 square feet more or less, and the 254 square feet (.01 acres) more or less triangular shaped lot located at the driveway entrance off of Lakewood Drive as described in Deed Book 6155, Page 526 of the Robert M. Dinkel Subdivision in Plat Book 50, Page 20 from the original designation;

WHEREAS, appropriate notice has been given of the public hearing as required by law.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. The following described historic property is hereby amended to include only the following: The A.M. Scales House property, owned by Ron and Laura Hahn, 1207 Lakewood Drive, Greensboro, NC, being Lot 3 as recorded and shown in Plat Book 152, Page 86 of the Guilford County Registry, being 136,757 square feet more or less, save and except the 254 square foot (.01 acres) more or less triangular shaped lot located at the driveway entrance off of Lakewood Drive as described in Deed Book 6155, Page 526 of the Robert M. Dinkel Subdivision in Plat Book 50, Page 20 from the original designation. This amendment removes from the historic designation the above said Lot 4.

2. This ordinance shall be effective from and after November 24, 2003. This ordinance amends the ordinance recorded in Deed Book 3904, Page 88 of the Guilford County Registry.

(Signed) Yvonne Johnson

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Mayor Holliday stated that this was the time and place set for a public hearing to consider adoption of the Cedar Street Area Strategic Plan.

Sue Schwarz, Neighborhood Planner for the Housing and Community Development Department, requested Council to adopt the plan. She provided a brief power point presentation with information about the area, the planning process, development issues, strategic planning processes and goals, and stated that consensus on a neighborhood vision had been reached at public meetings.

Ms. Schwartz and Mr. Hails explained the differences between historic and conservation districts and spoke briefly to the criteria and process for conservation district designation. Ms. Schwartz noted that adoption of the proposed plan would incorporate neighborhood support to guide future work plans in the area in terms of zoning, other regulatory development decisions, and the upcoming Land Development Ordinance rewrite.

Councilmember Phillips briefly discussed his interest in expediting moving forward with the conservation district designation through the Land Development Ordinance process.

The following speakers spoke in favor of the adoption of the Cedar Street Area Strategic Plan.

Joya Wesley, residing at 410 North Cedar Street, stated she supported the Plan and presented personal thoughts on how Council could take additional action to insure the Plan's success. Ms. Wesley spoke to positive attributes of residents of the Cedar Street neighborhood, area homes, and characteristics such as affordability and proximity to downtown.

Eleanor Motley, residing at 42 North Cedar Street, spoke to her history of living in the neighborhood its draw of diverse and creative residents over the years.

Kay Mitchell, residing at 3534 Lawndale Drive and owner of the residence located at 426 North Cedar Street, stated her daughter occupied this home and appreciated its close proximity to her job in downtown Greensboro. She spoke to the eclectic characteristic of the neighborhood and requested Council to adopt the Plan.

Jerald Leimenstoll, residing at 629 South Elm Street, spoke to his past residency on Cedar Street during a period when it was a struggling neighborhood. He noted the progress made in various areas in or near downtown Greensboro and praised efforts of various agencies who facilitated positive development and redevelopment changes. He praised the Housing and Community Development Department for their preparation of this Plan and encouraged Council's support.

There being no one else present who wished to speak to this matter, Councilmember Carmany moved that the public hearing be closed. The motion was seconded by Councilmember Phillips and unanimously adopted by voice vote of Council.

Councilmember Vaughan requested that he be excused from voting on this matter due to his ownership of property in the neighborhood. Councilmember Burroughs-White moved that Councilmember Vaughan be excused from voting on this matter. The motion was seconded by Councilmember Carmany and unanimously adopted by voice vote of Council.

Councilmember Johnson moved adoption of the Cedar Street Area Strategic Plan. The motion was seconded by Councilmember Burroughs-White, the Plan was adopted on the following vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins and Phillips. Noes: None, with Councilmember Vaughan abstaining due to conflict of interest.

(A copy of the Cedar Street Area Strategic Plan is filed in Exhibit Drawer P, Exhibit Number 17, and is hereby referred to and made a part of the minutes.)

Councilmember Perkins presented pictures to illustrate the condition of a development that was recently destroyed by fire and subsequently excavated in the Cedar Street neighborhood. He stated the Director of the Housing and Community Development (HCD) Department and HCD staff had been able to develop a City contract for a conditional offer to purchase this property from the current land owner for \$1,600,000 by December 31, 2005 and noted that the property acquisition would combine with a small tract of City owned land on Friendly Avenue. Councilmember Perkins suggested that after purchase, the City issue a request for proposals from developers, evaluate the best proposal, and receive the majority of the purchase price back from this sale.

Councilmember Perkins thereupon moved that the Manager develop funding alternatives for acquisition of property located at Cedar Street and Friendly Avenue to be presented at the November 22nd Council briefing so that Council may consider voting on purchasing the property at the December 6, 2000 regular meeting. The motion was seconded by Councilmember Phillips and unanimously adopted by voice vote of Council.

The City Attorney stated the property could be purchased at the appraised price, but might need to hold a public hearing depending on the source of funds.

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Moving to the Consent Agenda, Councilmember Gatten removed agenda item 19 from the Consent Agenda. After the City Attorney explained that the petition requesting annexation for agenda item 20 was found to be insufficient and could not be acted on at this time, Councilmember Johnson moved that the resolution calling a public hearing for December 20, 2005 on the annexation of territory to the corporate limits- located north of Elsielee Road and west of Flemingfield Road- 31.815 acres be deleted from the agenda. The motion was seconded by Councilmember Phillips and unanimously adopted by voice vote of Council.

Councilmember Bellamy-Small thereupon moved adoption of the amended Consent Agenda. The motion was seconded by Councilmember Gatten; the amended Consent Agenda was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Perkins, Phillips and Vaughan. Noes: None.

249-05 RESOLUTION AUTHORIZING THE DEDICATION OF HIGHWAY RIGHT-OF-WAY EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS ALONG LEWISTON ROAD TO THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR THE LEWISTON ROAD BRIDGE PROJECT

WHEREAS, the North Carolina Department of Transportation has plans to make improvements to the bridge on Lewiston Road over Lake Higgins;

WHEREAS, the City of Greensboro owns property located at 5101 Lewiston Road, Tax Map No. 1-33-902-18, shown on the attached map;

WHEREAS, NCDOT has requested that the City dedicate the needed highway right-of-way easements as well as the temporary construction easements totaling approximately 21,552 square feet;

WHEREAS, NCDOT and the City have a history of cooperating with each other in supplying needed right of way for road projects.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the City is hereby authorized to dedicate the necessary highway right-of-way easements and temporary construction easements along Lewiston Road to the North Carolina Department of Transportation for the Lewiston Road Bridge project.

(Signed) T. Dianne Bellamy-Small

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05-229 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF ADDITIONAL INTEREST EARNINGS IN THE 2003 LOCAL LAW ENFORCEMENT BLOCK GRANT ACCOUNT

Section 1

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State, Federal, and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State, Federal and other Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3586-01.5235	Small Tools and Equipment	<u>\$1,200</u>
TOTAL:		\$1,200

And, that this increase be financed by increasing the following State, Federal, and Other Grants Funds accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3586-01.8500	Interest Earned-Other	<u>\$1,200</u>
TOTAL:		\$1,200

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) T. Dianne Bellamy-Small

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250-05 RESOLUTION CALLING A PUBLIC HEARING FOR DECEMBER 20, 2005 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED NORTH OF BRIGHTWOOD SCHOOL ROAD – 53.28 ACRES

WHEREAS, the owner of all the hereinafter described property, which is contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 31 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 15th day of November, 2005, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED NORTH OF BRIGHTWOOD SCHOOL ROAD – 53.28 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at an existing iron pipe at the southwestern property corner of Jones Cunningham Enterprises, LLC as recorded in Deed Book 4987, Page 392 in the Office of the Register of Deeds of Guilford County, North Carolina; thence running along the southern property line of said Jones Cunningham Enterprises, LLC S 86°53'51" E 337.78 feet to an existing iron pipe at the northwestern property corner of Nancy R. Rich, Tim Barnett, Sr. and Carol R. Barnette as recorded in Deed Book 4476,

Page 1110 in said Guilford County Registry; thence along the western property line of said Rich, Barnett, Sr. and Barnette S 03°09'03" W 172.13 feet to an existing axle at the southwestern property corner of said Rich, Barnett, Sr. and Barnette, said axle being in the northern property line of Dennis D. Kinney and Nancy L. Kinney as recorded in Deed Book 4004, Page 1556 in said Guilford County Registry; thence along said northern property line of said Kinney N 86°23'55" W 175.13 feet to a new iron pipe at the northwestern property corner of said Kinney; thence along Kinney 's western property line S 03°09'03" W 240.36 feet to a point in the southern margin of Hicone Road; thence along said southern margin of Hicone Road S 87°39'58" E 373.29 feet to an existing iron pipe at the northwestern property corner of Jay R. McCollum as described and recorded in Deed Book 3758, Page 233 in said Guilford County Registry; thence along the western line of The Lowe Subdivision as recorded in Plat Book 5, Page 411 in said Guilford County Registry, the following two (2) courses and distances: 1) S 27°11'06" W 978.50 feet to an existing axle; thence 2) S 27°23'16" W 845.30 feet to an existing iron pipe at the southwestern property corner of the North Carolina Department of Transportation; thence N 88°34'37" W 47.48 feet to a point in the existing Greensboro city limits line; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS the following six (6) courses and distances: 1) N 26°17'01" W 41.32 feet to a point; thence 2) N 40°41'59" W 154.77 feet to a point; thence 3) N 48°13'29" W 145.01 feet to a point; thence 4) N 55°39'29" W 91.39 feet to a point; thence 5) along a curve to the left having a radius of 1,050.71 feet and an arc length of 379.10 feet, a chord bearing and distance of N 70°01'32" W 377.05 feet to a point; thence 6) N 80°40'38" W 71.72 feet to a point in the eastern property line of Norman Scott White as recorded in Deed Book 4637, Page 285 in said Guilford County Registry; THENCE DEPARTING FROM THE EXISTING CITY LIMITS along White's eastern property line the following two (2) courses and distances: 1) N 00°59'07" E 168.94 feet to an existing iron pipe; thence 2) N 00°57'05" E 1541.03 feet to a point in the southern property line of Horace C. Hodgin, Mildred B. Hodgin, David E. Hodgin, Jr. and Jean H. Hodgin et al as recorded in Deed Book 3190, Page 657 in said Guilford County Registry; thence along said southern property line of said Hodgin S 84°01'34" E 306.31 feet to an existing stone at the southwestern property corner of Carl E. Dickey and Pamela R. Dickey as recorded in Deed Book 5963, Page 2969 in said Guilford County Registry; thence along the southern property line of said Dickey and the southern property line of Robert W. McCuiston, Jr. and Michelle E. Elmore as recorded in Deed Book 4583, Page 865 in said Guilford County Registry, S 85°01'14" E 768.25 feet to the point and place of BEGINNING, and being 53.28± acres, more or less.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after February 28, 2005, the liability for municipal taxes for the 2005-2006 fiscal year shall be prorated on the basis of 4/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2005. Municipal ad valorem taxes for the 2006-2007 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after February 28, 2005.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, December 20, 2005 at 5:30 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of

Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than December 10, 2005.

(Signed) T. Dianne Bellamy-Small

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251-05 RESOLUTION AUTHORIZING CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN PORTION OF THE PROPERTY OF CAPSTONE CAPITAL CORP., IN CONNECTION WITH THE LAWNDALE SIDEWALK PROJECT.

WHEREAS, Capstone Capital Corp. is the owner of certain property located on Lawndale Drive, said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Lawndale Drive Sidewalk Project;

WHEREAS, negotiations with the owner at the appraised value of \$1,600.00 have been unsuccessful and said portion of property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portion of property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owners in the amount of \$1,600.00;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portion of property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$1,600.00 to the Clerk of Superior Court as compensation to the owners, payment to be made from Account No. 402-4531-10.6012 Activity No. 03216.

(Signed) T. Dianne Bellamy-Small

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A motion to approve report of Budget Adjustments for October 1-31, 2005 was unanimously adopted. (A copy of the report is filed in Exhibit Drawer P, Exhibit Number 1 and is hereby referred to and made a part of the minutes.)

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A motion to approve the minutes of November 1, 2005 regular Council meeting was unanimously adopted.

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Mayor Holliday introduced a resolution listing loans and grants for City Council approval, removed from the consent agenda earlier in the meeting. At the request of Councilmember Gatten, the City Manager provided a brief update with respect to the status of developing a process for posting agenda attachments on the City web site.

After Councilmember Gatten reviewed the attachment provided to Council in the agenda packet, she moved adoption of the resolution. The motion was seconded by Councilmember Phillips; the resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

252-05 RESOLUTION LISTING LOANS AND GRANTS FOR CITY COUNCIL APPROVAL

WHEREAS, at its March 1st meeting City Council the City Manager was instructed to include on the regular Council Consent Agenda all loans and grants in excess of \$10,000;

WHEREAS, City Council approval is required for all loans and grants, or pass through loans or grants in excess of \$10,000 on the recommendation of agencies, non-profits, or other organizations acting on behalf of the City prior to the disbursement of funds;

WHEREAS, requests have been made for loans in excess of \$10,000, said requests are presented herewith this day.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the requests for loans in excess of \$10,000 presented herewith this day are hereby approved in accordance with the guidelines set at the March 1, 2005 council meeting.

(Signed) Florence Gatten

(A copy of the list of loans and grants is filed with the above resolution and is hereby referred to and made a part of the minutes.)

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Mayor Holliday introduced a resolution approving the conveyance of a Conservation Easement on 1.378 acres on Muddy Creek to the State Clean Water Management Trust Fund pursuant to Grant Agreement 2002A-705.

Councilmember Carmany moved adoption of the resolution. The motion was seconded by Councilmember Phillips; the resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

253-05 RESOLUTION APPROVING THE CONVEYANCE OF A CONSERVATION EASEMENT ON 1.378 ACRES ON MUDDY CREEK TO THE STATE CLEAN WATER MANAGEMENT TRUST FUND PURSUANT TO GRANT AGREEMENT 2002A-705

WHEREAS, the City of Greensboro owns lots bordered on the east by Muddy Creek and on the west by Joyce Street which are vacant as shown on the attached map for which the City has no governmental or other public need;

WHEREAS, pursuant to Clean Water Management Trust Fund Agreement 2002A-705, the lots are to be restricted by a Conservation Easement in favor of the State, which Conservation Easement will prohibit future development of property for purposes other than minimal intrusions;

WHEREAS, in exchange the State will grant to the City for the benefit of the storm water fund the sum of \$60,000.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

The conveyance of 1.378 acres on Muddy Creek to the State Clean Water Management Trust Fund pursuant to Grant Agreement 2002A-705 is hereby authorized; and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper deed to convey said property.

(Signed) Sandy Carmany

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Mayor Holliday introduced a resolution to approve the allocation of \$750,000 of street improvement funds to cover a street improvement project in the proposed expanded Downtown Redevelopment Zone and an agreement with Bellemeade Development LLC to let the construction contracts.

Jim Jones, stated he represented the Bellemeade Economic Development firm and was an owner of a 6 acre land tract in the Central Business District (CBD) that he planned to develop as Bellemeade Village. After Mr. Jones spoke to details of the development plans, he requested infrastructure assistance that would involve the City's relocation of storm sewer lines that would run under two proposed buildings as they currently existed.

Assistant City Manager Ben Brown stated the cost for the City's infrastructure work was estimated at an amount not to exceed \$200,000. The City Manager stated the City would take on this project if Council would allow an allocation of funds from the Streetscape Project to do this work. The City Attorney confirmed that this could be done with an infrastructure project in a right of way.

Mayor Holliday requested Council to explore the establishment of a policy for public and private infrastructure development in the CBD. Council briefly discussed options for policy treatment of different development zones in other parts of the City including High Point Road. The Mayor requested staff to provide direction on criteria options for standards. Councilmember Perkins noted that such a policy would allow Council to prioritize funds by communities. After additional discussion, the City Manager stated he would present options to Council in January of 2006.

Councilmember Johnson thereupon moved adoption of the resolution with project and funding specifications as outlined in this discussion. The motion was seconded by Councilmember Phillips; the resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

254-05 RESOLUTION TO APPROVE THE ALLOCATION OF \$200,000 OF STREET IMPROVEMENT FUNDS TO COVER STREET IMPROVEMENTS INCLUDING STORMWATER AND CURB AND GUTTER

WHEREAS, the City of Greensboro has an interest in both facilitating continued investment and redevelopment projects within the proposed expanded downtown redevelopment zone and has been requested to accelerate an infrastructure enhancement project within this area;

WHEREAS, Phase I of the Bellemeade Village project is expected to bring 49 new residential condominiums and 2,772 square feet of commercial space on-line in the downtown area along Battleground Avenue and Edgeworth streets;

WHEREAS, this project will allow the opportunity to improve existing street stormwater runoff pipe's capacity currently located underneath the new Bellemeade Village project as well as provide an opportunity to enhance the curb and gutter appearance along Smith Street;

WHEREAS, to fund this effort, the City will need to allocate \$200,000 from the existing street improvement bond funds originally targeted for the proposed Church Street project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the allocation of \$200,000 of street improvement funds to cover stormwater improvements in the proposed expanded downtown redevelopment zone from the Church Street project is hereby approved.

(Signed) Yvonne Johnson

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The Mayor introduced an ordinance amending in the amount of \$975,000 Solid Waste Transfer Station Capital Project Bond Fund.

Councilmember Johnson moved adoption of the ordinance. The motion was seconded by Councilmember Vaughan; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

05-229 ORDINANCE AMENDING SOLID WASTE TRANSFER STATION CAPITAL PROJECT BOND FUND

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Solid Waste Transfer Station Capital Project Bond Fund Budget of the City of Greensboro be amended, as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
555-6509-01.6019	Solid Waste Transfer Station	\$ 975,000

And, that the following revenue finances this appropriation:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
555-6509-01.9007	Special Obligation Bond Proceeds	\$ 975,000
555-6509-01.9001	Premium on Bonds Sold	225,000
555-6509-01.8510	Interest Earnings	<u>(225,000)</u>
Total		\$ 975,000

(Signed) Yvonne Johnson

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Mayor Holliday introduced a resolution approving bid in the amount of \$256,000 and authorizing Contract No. 2005-060 with Rentenbach Constructors, Inc. for the Center City Park Streetscape Project.

Councilmember Vaughan moved adoption of the resolution. The motion was seconded by Councilmember Bellamy-Small; the resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

256-05 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2005-60 WITH RENTENBACH CONSTRUCTORS, INC. FOR THE CENTER CITY PARK STREETScape PROJECT

WHEREAS, after due notice, bids have been received for various intersection improvements throughout the City;

WHEREAS, Rentenbach Constructors, Inc., a responsible bidder, has submitted the low base and alternate bid in the total amount of \$256,000.00 as general contractor for Contract No. 2005-60, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Rentenbach Constructors, Inc. is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to

carry the proposal into effect, payment to be made in the amount of \$256,000.00 from Account Number 441-6005-04.6014 Activity No. 060108.

(Signed) Donald R. Vaughan

(A tabulation of bids is filed with the above resolution and is hereby referred to and made a part of the minutes.)

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The City Manager presented an addendum item for Council's consideration and explained that action would be necessary at this time to meet loan closing deadlines Habitat for Humanity.

The Mayor introduced a resolution listing loans and grants. Councilmember Phillips moved adoption of the resolution. The motion was seconded by Councilmember Carmany; the resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

257-05 RESOLUTION LISTING LOANS AND GRANTS FOR CITY COUNCIL APPROVAL

WHEREAS, at its March 1st meeting City Council the City Manager was instructed to include on the regular Council Consent Agenda all loans and grants in excess of \$10,000;

WHEREAS, City Council approval is required for all loans and grants, or pass through loans or grants in excess of \$10,000 on the recommendation of agencies, non-profits, or other organizations acting on behalf of the City prior to the disbursement of funds;

WHEREAS, requests have been made for loans in excess of \$10,000, said requests are presented herewith this day.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the requests for loans in excess of \$10,000 presented herewith this day are hereby approved in accordance with the guidelines set at the March 1, 2005 council meeting.

(Signed) Thomas M. Phillips

(A copy of the list of loans and grants is filed with the above resolution and is hereby referred to and made a part of the minutes.)

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The Mayor asked Council if they wished to consider eliminating Speakers from the Floor on the agenda for the December 6, 2005 Regular and Organizational meetings to allow for special presentations. Councilmember Carmany moved that Speakers from the Floor portion of the meeting be eliminated from the December 6, 2005 Regular and Organizational meetings. The motion was seconded by Councilmember Bellamy-Small and unanimously adopted by voice vote of Council.

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Councilmember Carmany moved that Ed Cobbler be appointed to fill the unexpired portion of term of Robert L. Faison on the Community Resource Board; this term will expire 15 August 2007. The motion was seconded by Councilmember Johnson and unanimously adopted by voice vote of Council.

Councilmember Carmany moved that Peter Wainwright be appointed to fill the unexpired portion of term of Barry Goldman on the Advisory Commission for Trees; this term will expire 15 August 2006. The motion was seconded by Councilmember Perkins and unanimously adopted by voice vote of Council.

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Mayor Holliday added the names of Elizabeth “Boo” Stauffer, Al Lineberry, Jr. and Claudette Burroughs-White to the boards and commissions data bank for consideration for future service on the Bicentennial Commission.

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Councilmember Phillips moved that the meeting be adjourned. The motion was seconded by Councilmember Johnson and unanimously adopted by voice vote of Council.

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The Council meeting was adjourned at 11:32 p.m.

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Susan E. Crotts
Deputy City Clerk

Keith A. Holliday
Mayor
